

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Disciplinary proceedings initiated against Sri P.V.Sai Prasad, Sr.Asst and Sri V.Ravindranth, Sr.Asst.(Retd.) on the allegations of misappropriation – Appointment of Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries, General Administration Department as Inquiring Authority - Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (Vig.III.1) DEPARTMENT

G.O.Rt.No. 943 .

Dated: 07.10.2013.

Read the following:

1. G.O.Rt.No.187, Dt. 17.02.2012 of Transport, Roads & Buildings (Vig.III.1) Department.
2. Govt. Memo No. 9027/Vig.III/1/2003, Dt. 17.02.2012.
3. U.O. Note Dt. 18.4.2013 of General Administration (COI-LP) Department.

O R D E R:

Whereas, on the allegation of misappropriation of Govt. money, disciplinary proceedings have been initiated against Sri K.Srihari, Sr.Asst., and Sri B.Lingaiah, Supdt., and after examining the WSDs of the Charged Officers , the then Deputy Transport Commissioner Vijayawada was appointed as Inquiring Authority, and the I.A. in his report found that besides the above said two Charged Officers Sri P.V.Sai Prasad, Typist & Sri V.Ravindranath, Sr.Asst., are also responsible for the misappropriation. After examining the enquiry report, disciplinary proceedings were initiated against Sri V.Ravindranath, Sr.Asst., and Sri P.V.Sai Prasad, Typist and an inquiry under Rule 20 of Andhra Pradesh Civil Services (CC & A) Rules, 1991 read with Rule 24 of the said rules has been ordered to be held in the G.O. first read above, by appointing Sri Lingaraj Panigrahi, I.A.S., Commissioner, Commissioner of Inquiries

2. In the memo 2nd read above orders were issued appointing Smt. K.Swarna Seshu, Advocate as Presenting Officer.

3. And whereas, the Enquiry Officer in the U.O. Note 3rd read above had informed that during the course of inquiry, the Defence Assistant of the Charged officer brought the order of the Hon'ble Tribunal in O.A.No.11244/09 dt.30.12.2009 in which Andhra Pradesh Administrative Tribunal has struck down the punishment imposed on Sri K.Srihari and also made certain observations on the Enquiry Report of Sri Prasad stating that Department has not acted on the suggestion of the Enquiry Authority for a detailed and special audit covering the entire office for the entire period; that since the Enquiry Report which is the only listed document has been faulted by the Andhra Pradesh Administrative Tribunal in it's above order, it is not desirable to adopt the same as sole documentary evidence to sustain the charge against the Charged Officers; that the listed witnesses ie. officials of the Transport Commissioner's office who have inspected the records of the Regional Transport Officer during their deposition before this Commissioner of Inquiry have stated that they have not verified the names of the officers and names of the staff members who are responsible for the missing Demand Drafts and misappropriation; that they are not in a position to give name-wise details of the Demand Drafts misplaced and misappropriated by each individual officer.

4. The Inquiring Authority has further stated that in the circumstances it is not possible for the Commissioner of Inquiries to proceed further with the inquiry; that the charges are to be sustained based on seat-wise verification of postings in the various registers

maintained in the Regional Transport Office and the postings of accounts in the Regional Transport Office to arrive at missing Demand Drafts, TT wise and in this case the P.O. is an Advocate.

5. And whereas the Enquiry Officer has further stated that it may not be possible for the Presenting Officer who is an advocate to verify the numerous registers being maintain by the Regional Transport Officer and complicated financial accounting system of the Regional Transport Office and present the case cognantly and moreover the voluminous registers cannot be produced during the course of inquiry and the case is based on verification of case-wise posting of accounts in the Regional Transport Office i.e., purely of documentary evidence and stated that it will be appropriate if a Departmental Officer who is conversant with Procedures and Accounts of Regional Transport Office is appointed as Enquiry Officer and Presenting Officer, and in this case if Government is particular that this case should be dealt by Commissioner of Inquiries only, then the Regional Transport Officer Ongole may be appointed as Presenting Officer since he is the custodian of records and familiar with the account keeping procedure of the RTO office.

6. Government after careful examination of the matter had decided to appoint Sri A. Mohan, Deputy Transport Commissioner as Presenting Officer [who was appointed as Presenting Officer in the same disciplinary case against Sri K. Srihari, Sr.Asst., and Sri B.Lingaiah, Supdt. (Retd.)] in the disciplinary case of Sri P.V.Sai Prasad, Typist & Sri V.Ravindranath, Sr.Asst. and also decided to remit back the disciplinary case to Sri Lingraj Panigrahi, I.A.S., Commissioner of Inquiries (LP) as the Inquiring Authority to conduct enquiry.

7. Accordingly in exercise of the powers conferred by sub-rule (2) of Rule 20 of Andhra Pradesh Civil Services (CC & A) Rules, 1991, the Government hereby appoint Sri Lingaraj Panigrahi, I.A.S., Commissioner of Inquiries (LP) as the Inquiring Authority to conduct enquiry on the above said charged officers mentioned at para 6 above.

8. The draft Article of Charge and the documents of the case and deposition of witnesses which were returned vide reference 3rd read above and a copy of order of appointment of Presenting Officer are sent herewith to the Inquiring Authority for conducting enquiry.

9. The Inquiring Authority is requested to continue the enquiry and furnish his inquiry report to the Government, so as to enable the Government to take necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries,
General Administration (COI) Department.

The Transport Commissioner, Andhra Pradesh, Hyderabad.

The Individuals through Transport Commissioner, A.P., Hyd.

Sri A.Mohan, Deputy Transport Commissioner & Presenting
Officer

Copy to:

The Chairman, Commissionerate of Inquiries, General A.P, Secretariat,
Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission,
A.P.Secretariat, Hyderabad.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.